

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2335 of 2023

ORDER:

1. Heard Sri V.Ravi Kiran Rao, learned Senior Counsel who argued on behalf of Sri V.Rohit, learned counsel on record for the petitioners as well as the learned Additional Public Prosecutor who is representing Respondent-State.

2. Seeking pre-arrest bail, the present Criminal Petition, under Section 438 Cr.P.C., is filed on behalf of the petitioners, who are arrayed as Accused Nos.2 & 3 in Crime No.1185 of 2021 of Miyapur Police Station.

3. Contending that the petitioners have not committed any offences whatsoever, learned counsel for the petitioners states that the petitioners are not responsible for the death of the deceased-Srinivasa Rao. Learned counsel also submits that the 1st petitioner paid huge amount to Sunrise Group in which the deceased-Srinivasa Rao was a partner and they entered into an agreement of sale for purchase of a piece of land. But the deceased-Srinivasa Rao was postponing the sale transaction and in that regard, the petitioners visited the office of Sunrise

Group two or three times and except that, they did not commit any offences whatsoever.

4. The submission of the learned Additional Public Prosecutor, on the other hand, is that the suicide note that was written by the deceased-Srinivasa Rao reveals the names of the petitioners herein. Learned Additional Public Prosecutor also states that the case is still under investigation. However, four (4) material witnesses were already examined.

5. Having considered the submission of the learned counsel for the petitioners, the contents of the First Information Report and the contents of the agreement of sale dated 12.07.2021 which is produced, this Court is of the view that the request of the petitioners can be honoured, however, conditionally.

6. In the result, the Criminal Petition is allowed with the following conditions:

- (i) The petitioners/Accused Nos.2 & 3 are directed to surrender before the concerned Court within ten (10) days. On such surrender, they shall be enlarged on bail on their executing a personal

bond for Rs.30,000/- (Rupees Thirty Thousand only) each with two sureties for like-sum each to the satisfaction of the Court concerned. The sureties are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.

- (ii) The petitioners/Accused Nos.2 & 3 shall report before the Station House Officer, Miyapur Police Station on every Monday between 10.30 A.M. and 12:00 P.M. till filing of final report.
- (iii) The petitioners/Accused Nos.2 & 3 should not involve in any unlawful activity.
- (iv) The petitioners/Accused Nos.2 & 3 should afford all assistance for the proper investigation of the case.
- (v) The petitioners/Accused Nos.2 & 3 should not cause the evidence of the offence disappear.
- (vi) The petitioners/Accused Nos.2 & 3 should not tamper with the evidence in any manner.
- (vii) The petitioners/Accused Nos.2 & 3 should not by way of inducement, threat or promise,

dissuade any person who is acquainted with the facts of the case, from disclosing such facts to the Court or to the Police Officer.

- (viii) In case the petitioners/Accused Nos.2 & 3 hold a passport, they shall surrender the same.
- (ix) The petitioners/Accused Nos.2 & 3 should ensure their presence whenever required by the Court or Police.
- (x) The petitioners/Accused Nos.2 & 3 shall not leave India without previous permission of the Court concerned.
- (xi) The petitioners/Accused Nos.2 & 3 shall file an affidavit before the Court concerned disclosing the following particulars:-
 - (1) Contact number
 - (2) Mail address
 - (3) Residential particulars.

In case, there is any change of the aforementioned details, the petitioners shall intimate the court concerned by giving fresh affidavits duly mentioning the change. They shall continue to do so till filing of the final report.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the pre-arrest bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:16.03.2023
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